

REMARKS

Entry of this amendment with allowance is requested.

The claims have been amended in a way which is thought to emphasize the patentability of the applicant's invention. No new issues are thought to be involved as the substance of the amendments has previously been presented for the Examiner's consideration.

More specifically, claim 12 has been amended to include the features of dependent claims 13, 17, 20 and 23. As a consequence, claims 13, 17 and 20 have been cancelled as redundant and claims 22 and 23 have been amended to conform with the amendments to claim 12.

In amending claim 12, the Examiner's objection to claim 17 has been taken into account and, as noted, claim 17 has been canceled. This should moot the Examiner's objection to claim 17.

Favorable reconsideration of the Section 103(a) rejection of the claims based on applicant's U.S. Patent 6,321,515 (Colens) in view of EP 324322 (Elia) is requested. The applicant's invention, particularly as claimed, is not in any sense obvious from the cited art.

The Examiner has recognized that the applicant's earlier patent (Colens U.S. 6,321,515) does not disclose the present invention. Elia is cited to fill in deficiencies of the Colens patent. However, with respect, it is submitted that there is no reasonable suggestion in Elia to modify Colens so as to reach the applicant's invention.

The Examiner will appreciate that there is a real problem in mowing lawns where golf balls are involved. There is the desire to mow the lawn while at the same time avoiding or minimizing damage to the balls. The applicant's robotic lawn mower, including the bottom plate with extensions, as defined in claim 12, nicely deals with this problem.

A great deal of effort has gone into providing improvements in lawn mowers over many years. However, as far as the applicant is aware, no one has provided a lawn mower as claimed, including the rotating bottom plate with extensions functioning in the manner contemplated by the applicant.

The closest prior art the applicant is currently aware of with respect to his specific cutting attachment is represented in Elia. However, Elia is directed to a scrub-clearing machine, not a self-propelled or robotic lawn mower. The reference

machine is used in a different way as it is to be handheld by the operator. There is no wheel nor self-propelled movement to be taken into account.

The applicant submits that the man skilled in the art would not investigate the technology of the Elia machines for devising a new improved robotic lawn mower capable of operating on golf courses. It would not have been obvious to adapt a cutting system, as described for a scrub-clearing tool in Elia, to any robotic lawn mower, much less one as claimed by the applicant.

The advantages obtained with the present invention is that the mowing operation, due to the floating properties of the attachment, is not impeded by the golf balls and, at the same time, the golf balls present on the grass being mowed are not damaged by the operation. These advantages are clearly not directly derivable from Elia.

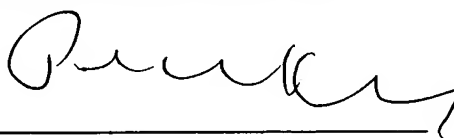
Finally, it is noted that there is no motivation in either of the references to make the changes required in, for example, the applicant's earlier mower, to reach the present invention.

It is not appropriate to arbitrarily select and combine pieces from the art to reject the applicant's claims. There must be some motivation in the art to make the combination of features called for by the applicant's claims, particularly as amended herein. No suggestion or motivation is present in the Examiner's references.

Favorable reconsideration with allowance is requested.

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By 

Paul N. Kokulis
Reg. No. 16773

Date: November 29, 2004

Customer No. 09629

1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455